

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

COMMONWEALTH OF : **CIVIL NO.: 1:12-CV-01567**
PENNSYLVANIA, :
PENNSYLVANIA GAME :
COMMISSION, :
 :
 : (Chief Judge Conner)
Plaintiff, :
 :
 :
v. : (Magistrate Judge Schwab)
 :
 :
THOMAS E. PROCTOR HEIRS :
TRUST, *et al.*, :
 :
 :
Defendants. :

AMENDED CASE MANAGEMENT ORDER

October 13, 2016

Upon consideration of the joint case management plan (*doc. 61*), filed by the parties, the following amended case management order is entered in this matter.

I. GENERAL

- 1. COUNSEL AND *PRO SE* LITIGANTS ARE RESPONSIBLE FOR READING THIS ENTIRE ORDER.**

2. **Schedule**. The following deadlines, described in greater detail throughout this order, have been established for this case, and may not be modified by the parties. Motions to modify or extend the deadlines established here shall be made before the time limits have passed. **All requests for extensions of the discovery deadline must be made at least 30 days prior to the expiration of the discovery period.** Motions will be granted only on a showing of good cause.

Joinder of Additional Parties:	November 30, 2016
Amendment of Pleadings:	November 30, 2016
Telephone Conference to Discuss Status:	April 18, 2017¹
Close of Fact Discovery:	April 28, 2017
Expert Reports:	By the plaintiff: April 13, 2017 By the defendant: May 13, 2017 Supplements: June 12, 2017
Close of Expert Discovery:	June 30, 2017
Dispositive Motions and Supporting Briefs Due:	July 14, 2017
All Pretrial and Trial Deadlines:	To be determined

3. **Requests for Extension of Time.** Requests for extension of the following time periods will not be granted except for good cause shown and must comply with Local Rule 7.5.

4. **Electronic Case Filing.** Counsel and *pro se* litigants are requested to file all documents in this case electronically. Only with leave of court, will counsel or *pro se* litigants be permitted to file documents in this case with the Clerk of Court, P.O. Box 983, Room 1060, Federal Building, Harrisburg, PA 17108. Do not send courtesy copies directly to the Court unless requested by the Court.

¹ The conference call will take place at 11:00 a.m. and counsel for the plaintiff shall initiate the call by calling Chambers at (717) 221-3980 once all parties are on the line.

5. **Facsimile transmission.** No document may be faxed to Chambers or to the Clerk's Office without express permission obtained in advance from the judge or her secretary or clerk, which permission shall be limited to each document request, unless otherwise indicated.

6. **Contacting the Court.** Parties should contact the Court through our Deputy Clerk, Kate Toth, at (717) 221-3931 or Kate_Toth@pamd.uscourts.gov. No contact should be made with law clerks unless directed to do so by the Court.

II. JOINDER OF PARTIES/AMENDMENT OF PLEADINGS

1. Any additional parties shall be joined on or before **November 30, 2016.**

2. Any amendment of the pleadings shall be completed on or before **November 30, 2016.**

III. DISCOVERY

1. **Discovery.** All fact discovery shall be completed by the parties expeditiously and diligently on or before, **April 28, 2017.** All expert discovery shall be completed by the parties expeditiously and diligently on or before, **June 30, 2017.** All requests for discovery must be made so as to allow for compliance before the close of discovery. The following limits on discovery apply to this case:

(i) Depositions (excluding experts) to be taken by:

Plaintiff: 5

Defendants: 5

(ii) Interrogatories:

Plaintiff: 30 Defendants: 30

(iii) Request for Production of Documents:

Plaintiff: 50 Defendants: 50

(iv) Request for Admissions:

Plaintiff: 30* Defendants: 30*

*This limitation does not count towards requests related to the authenticity and/or admissibility of written documents.

Discovery in excess of these limits must be approved by the Court.

2. **Expert Reports.** Plaintiff shall submit expert reports to the defendant on or before **April 13, 2017.** Defendant shall submit expert reports to the plaintiff on or before **May 13, 2017.** Any supplements to reports shall be submitted to opposing parties on or before **June 12, 2017.**

3. Except as noted herein, the limitations on discovery imposed by the Federal Rules of Civil Procedure and the Local Rules of the Middle District of Pennsylvania will be applied to this case. The parties must apply to the court to exceed the limitations established by the rules.

4. **In the event that discovery disputes arise and are not resolved after counsel attempt in good faith to do so, the matter shall be brought before the court by way of a telephone conference rather than through the filing of formal**

motions. Unless otherwise directed, prior to the telephone conference, each party shall submit a letter of not more than three pages outlining the nature of the dispute.

IV. SETTLEMENT, MEDIATION, AND ARBITRATION

1. A telephone conference is scheduled for **April 18, 2017 at 11:00 a.m.** to discuss settlement and whether the case should be referred to mediation or a settlement officer.

V. MOTIONS

1. Dispositive motions and supporting briefs must be filed by **July 14, 2017.** Briefs must adhere to the page limitations set forth in the local rules. Parties filing motions for summary judgment shall comply with Middle District Rule 7.4.

VI. PRETRIAL MATTERS AND TRIAL

1. All pretrial and trial deadlines will be determined after the resolution of any dispositive motions by the trial judge.

S/Susan E. Schwab
Susan E. Schwab
United States Magistrate Judge